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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/799,855

03/12/2004

Hitoshi Takeda

17268-005001

2059

26211

7590

06/24/2005

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EXAMINER

HO, BINH VAN

ART UNIT

PAPER NUMBER

2821

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/799,855	<b>Applicant(s)</b> TAKEDA ET AL.	
	<b>Examiner</b> Binh V. Ho	<b>Art Unit</b> 2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03/12/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/07/2004
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 2 and 3 are objected to because of the following informalities:

In claim 2, lines 1, "A vehicular" should be changed to --A vehicular--.

In claim 3, lines 1, "A vehicular" should be changed to --A vehicular--.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 to 3 are rejected under 35 U.S.C. 102(e) as being anticipated by Stam (US20030123705).

(Claim 1)

Stam teaches a vehicular lamp (Figure 26a) used for a vehicle, comprising a semiconductor light emitting element (1131, 1132 in Figure 11) for generating light used for a vehicular headlamp (111 in Figure 11) to emit said light forward from said vehicle; and a current controlling unit (1105, 1127, 1104 in Figure 11) for allowing said semiconductor light emitting element to generate light used for a position lamp (1131 in Figure 11) to indicate a position of said vehicle, in place of said light used for said vehicular headlamp (1132 in Figure 11), by reducing a current supplied to said

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semiconductor light emitting element (1131, 1132 in Figure 11) based on an instruction (1123 in Figure 11) of a driver of said vehicle.

(Claim 2)

Stam teaches current controlling unit (1105, 1127, 1104 in Figure 11) reducing said current (col. 11, [0124]) if said vehicle is stopped.

(Claim 3)

Stam further teaches a plurality of semiconductor light emitting elements coupling in parallel (3311,3312 in Figure 33), wherein said current controlling unit (1105, 1127, 1104 in Figure 11) comprises a selecting unit (1121,1123 in Figure 11) for selecting all or a part of said plurality of semiconductor light emitting elements (3311, 3312 in Figure 33) based on an instruction of said driver of said vehicle; and a current supplying unit (col. 11, [0124]) for allowing a part of said plurality of semiconductor light emitting elements (3311,3312 in Figure 33 ) to emit said light used for said position lamp (3311,3312 in Figure 33 ) by reducing currents supplied to said semiconductor light emitting elements (3311,3312 in Figure 33), if said selecting unit (1121,1123 in Figure 11) selects said part of semiconductor light emitting elements (3311,3312 in Figure 33) by supplying currents to said selected semiconductor light emitting elements (3311,3312 in Figure 33).

**Inquiry**

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh V. Ho whose telephone number is 571 272 8583.

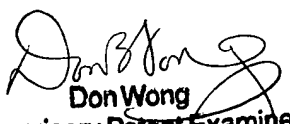
The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don K. Wong can be reached on 571 272 1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Binh V Ho  
Examiner  
Art Unit 2821

Binh Van Ho  
06/20/2005

  
Don Wong  
Supervisory Patent Examiner  
Technology Center 2800